

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SERONO, INC.

Plaintiff

v.

FERRING PHARMACEUTICALS, INC.

Defendant

Civil Action No. 02-11832MLW

EXHIBITS TO
PLAINTIFF SERONO, INC.'S
OPENING CLAIM CONSTRUCTION BRIEF

- Exhibit 1 U.S. Pat. No. 4,589,402 ("the '402 patent")
- Exhibit 2 U.S. Pat. No. 4,845,077 ("the '077 patent")
- Exhibit 3 '402 Patent File History, Amendment Under Rule 115, October 15, 1985
(Amendment A)
- Exhibit 4 '077 Patent File History, Amendment Under Rule 115 dated Oct. 22, 1984
- Exhibit 5 Taber's Cyclopedic Medical Dictionary and American Heritage Dictionary, 3rd
Edition excerpts
- Exhibit 6 Kenigsberg *et al.*, *Dose response using a gonadotropin releasing hormone
antagonist*, 42 Fertil. & Steril., No. 1, pp. 116-26 (July 1984)
- Exhibit 7 Schenken *et al.*, *Ovulation induction using "pure" follicle-stimulating hormone
in monkeys*, 41 Fertil. & Steril. No. 4, 629-34 (April 1984)
- Exhibit 8 '077 Patent File History, Response to Final Rejection dated May 28, 1985
(Amendment B)
- Exhibit 9 '077 Patent File History, Amendment Under Rule 115 dated Nov. 18, 1988
(Amendment H)
- Exhibit 10 '077 Patent File History, Form 1449
- Exhibit 11 *Kumar v. Ovonic Battery Co., Inc.*, __ F.3d __, 2003 WL 22922369 (Fed. Cir.
December 11, 2003)
- Exhibit 12 Venturoli *et al.* *Induction of Ovulation and Pregnancy With HuFSH
(Metrodin®) in Women with Polycystic Ovarian Disease: Summary of Clinical
Experience*, Acta Euorpaea Fertilitatis, Vol. 14, n. 1, pp. 29-33 (1983)
- Exhibit 13 Venturoli *et al.*, *Induction of Ovulation with "Pure" Human Urinary FSH in
Patients with Chronic Anovulation and Polycystic Ovaries*, SeroNo Symposium
(1982)
- Exhibit 14 Schenken *et al.*, *Follicle-Stimulating Hormone Induced Ovarian
Hyperstimulation in Monkeys: Blockade of the Luteinizing Hormone Surge*,

- Journal of Clinical Endocrinology and Metabolism, Vol. 57, No. 1, pp. 50-55(1983)
- Exhibit 15 Hodgen, *The dominant ovarian follicle*, Fertil. & Steril., Vol. 38, No. 3, pp. 281-300 (1982)
- Exhibit 16 Van Damme et al., *An Improved In Vitro Bioassay Method for Measuring Luteinizing Hormone (LH) Activity using Mouse Leydig Cell Preparations*, Acta Endocrinologica Vol. 77, No. 4, 655-671 (1974)
- Exhibit 17 '402 Patent File History, First Office Action Mailed July 16, 1985
- Exhibit 18 United States Pharmacopeia (20th Revision); National Formulary (15th Ed.) (1980)